



Atty. Dkt. No. 017227-0175

RCE #  
JFW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: John WALKER  
Title: IMPROVED SAPONIN ADJUVANT  
COMPOSITIONS AND METHOD  
RELATING THERETO  
Appl. No.: 09/857,797  
Appl. Filing Date: 9/13/2001  
Examiner: David A. Saunders  
Art Unit: 1644

**REQUEST FOR CONTINUED EXAMINATION (RCE)**  
**TRANSMITTAL**

Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. **Submission required under 37 C.F.R. §1.114:** (check items that apply)

a. Previously submitted:

☐ Please enter and consider the amendment/reply previously filed on \_\_\_\_.

b. Enclosed are:

☒ Amendment/Reply.

12/08/2004 JBALINAN 00000017 09857797

01 FC:1801

790.00 0P

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$790.00	= \$790.00
Total Claims:	20	- 20	= 0	x \$18.00	= \$0.00
Independents	2	- 3	= 0	x \$88.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$300.00	= \$0.00
CLAIMS FEE TOTAL:					= \$790.00

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input type="checkbox"/> Extension for response filed within the first month:	\$110.00	0	\$0.00
<input type="checkbox"/> Extension for response filed within the second month:	\$430.00		\$0.00
<input type="checkbox"/> Extension for response filed within the third month:	\$980.00		\$0.00
<input type="checkbox"/> Extension for response filed within the fourth month:	\$1,530.00		\$0.00
<input checked="" type="checkbox"/> Extension for response filed within the fifth month:	\$2,080.00		\$2,080.00
EXTENSION FEE SUBTOTAL:			\$2,080.00
EXTENSION FEE ALREADY PAID:			- \$110.00
EXTENSION FEE TOTAL			\$1,970.00
CLAIMS AND EXTENSION FEE TOTAL:			\$2,760.00
<input type="checkbox"/> Small Entity Fees Apply (subtract ½ of above):			\$0.00
<input type="checkbox"/> Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:			\$2,760.00

☒ A check in the amount of \$2,760.00 to cover the filing fee and extension of time fee is enclosed.

[ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

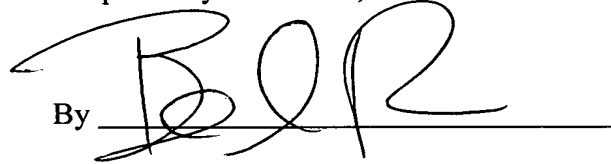
Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date

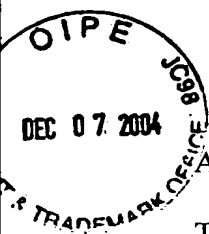
7 December 2004

By



FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 672-5475  
Facsimile: (202) 672-5399

Beth A. Burrous  
Attorney for Applicant  
Registration No. 35,087



***IN THE UNITED STATES PATENT AND TRADEMARK OFFICE***

Applicant: John WALKER  
Title: IMPROVED SAPONIN ADJUVANT  
COMPOSITIONS AND METHOD  
RELATING THERETO  
Appl. No.: 09/857,797  
Filing Date: 06/11/2001  
Examiner: David A. Saunders  
Art Unit: 1644

**PRELIMINARY AMENDMENT UNDER 37 CFR § 1.114**

Mail Stop RCE  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Prior to examination on the merits, please enter the following Request for Continued Examination submission in the above-referenced application.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks/Arguments** begin on page 5 of this document.

Please amend the application as shown below.